

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on August 18, 2020 at 7:00 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

Present:

Ms. Darcie Lesniak	Councilor
Mr. Howard Tupper	Councilor
Ms. Patricia Dickman	Councilor
Mr. Ronald Dudzinski	Councilor
Ms. Mary Frances Sabin	Deputy Supervisor
Mr. Claude Sykes	Supervisor

Absent: Mrs. Wendy Van Der Water, Councilor

Also present:

Ms. Rich Andino	Town Attorney
Mr. Jason Hoy	Town Engineer
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve minutes of the 8/4/20 Regular Town Board Meeting:

110-20-000 MOTION BY Mr. Tupper, seconded by Mr. Dudzinski, to approve the minutes of the 8/4/20 Regular Town Board Meeting as published.

Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Dickman – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Resolution regarding Retention and Disposition Schedule for NY Local Government records (LGS-1):

111-20-042 MOTION BY Mr. Dudzinski, seconded by Ms. Sabin, to approve the following resolution:

RESOLVED, By Town of Van Buren that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein. FURTHER RESOLVED, that in accordance with Article 57-A: (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described

therein; (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Dickman – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Introduction of Local Law A-2020 Chapter 145 of Van Buren Code re: Property Maintenance and Controlling Junk and setting Public Hearing on said local law for September 1, 2020 at 7:00 pm re: Property Maintenance and Controlling Junk and setting Public Hearing on said local law for September 1, 2020 at 7:00 pm:

Mr. Sykes said due to social distancing in place because of Covid-19 we are restricted to six members of the public in the boardroom. Mr. Sykes said the Board will be using Zoom for the next meeting so residents who want to speak at the public hearing can do so through that platform. Mr. Sykes said there will be a five minute limit per speaker. Mr. Sykes said written comments will also be accepted and can be emailed to: Clerk@townofvanburen.com, mailed to: Town Clerk, Town of Van Buren, 7575 Van Buren Road, Baldwinsville, NY 13027 or faxed to 315-635-8247.

Mr. Lee Tetu, Commane Road, asked to speak. He said he saw this item on the agenda and is concerned about anything that may infringe on a property owner's rights. He asked how far this law goes. He said he looked at the photos from the presentation on the website and there are some that could use a fence, but he wouldn't cite them. He asked if he goes on vacation and his lawn isn't not mowed will he come home to a violation notice on his door? He said this needs to be available and defined before the hearing.

Mr. Sykes said the local law will be available on the town's website tomorrow.

Ms. Sabin said the Land Use Committee has been working on this since last July. She said they looked at other town's codes, NYS Code and took resident complaints into consideration when crafting it.

Ms. Lesniak said the law is reactive and not proactive. She said the Board is looking to balance property owners' rights and how to address the complaints received from residents.

112-20-039 Councilor Dudzinski introduced proposed Local Law No. A-2020, "A Local Law to Repeal and Replace Chapter 145 of the Code of the Town of Van Buren Relative to Property Maintenance and Controlling Junk", which Local Law would establish regulations designed to prevent unhealthy, hazardous or unsightly conditions due to accumulations of yard waste, weeds, junk, garbage, rubbish, clutter, litter and debris on improved property in order to protect the public health, safety and general welfare of the residents of the Town, and made the following motion, which was seconded by Councilor Sabin,

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Van Buren; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE,

RESOLVED AND DETERMINED, there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and it is further

RESOLVED AND DETERMINED, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and it is further

RESOLVED AND DETERMINED, the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. A-2020 at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York 13027, on September 1, 2020 at 7:00 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Dickman – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Approval for Town Clerk to procure new postage machine through Ed & Ed Business Technology at \$129,73/month for 63 months = \$1,556.76 /year:

113-20-010 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to approve the Town Clerk to procure a new postage machine through Ed & Ed Business Technology at \$129.73/month for 63 months = \$1,556.76 a year.

Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Dickman – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

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Councilor Committee Reports and Comments: None

Highway Superintendent Comments: None

Supervisor Comments: None

Citizens Comments: None

Engineer Comments:

Mr. Hoy said drainage work has started in Seneca knolls and Village Green. He said paving n Village Boulevard South should begin next week.

Attorney Comments: None

114-20-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to adjourn to the next Regular Town Board Meeting on September 1, 2020 at 7:00 pm.

Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Dickman – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Meeting closed 7:20 pm

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 8/19/20